

**Approved Minutes
Noise Control Board Meeting
Draft Agenda
Tuesday, November 17, 2015
Lower Level Conference Room
City Hall
6:30 p.m.**

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Irene Bellamy	<u>X</u>	<u> </u>
Adele Ellis	<u>X</u>	<u> </u>
Bobbie Pinkett-Solomon	<u>X</u>	<u> </u>
Harry Pitt	<u>X</u>	<u> </u> (arrived at 6:38 p.m.)
Mark Shroder	<u>X</u>	<u> </u>
Alan Stillwell	<u>X</u>	<u> </u>
Larry Wenzel	<u> </u>	<u>X</u>

Also Present:

Bob Ryan, *Public Services Director*; Julie Beavers, *Recording Secretary*

I. Call to Order

The meeting was called to order at 6:33 p.m.

II. Approval of Agenda

Ms. Bellamy motioned to approve the agenda. Ms. Ellis seconded the motion.

All were in favor. **The motion passed 5-0-0**

III. Approval of Minutes

a. 10/15/2015 Hearings

(Goldstein)

6908 Wake Forest Drive

Correction: Page 8, last paragraph Chairman Stillwell asked to add Property Manager, Teasa Starke stated she turned her cell phone off. In review of the audio from the October 15th hearing and the June 4th hearing, Ms. Starke stated she did not purposely answer phone calls or emails from the Bukoskis right away.

(Cheyenne Place Realty)

7509 Girard Avenue

Correction: page 21, last paragraph should read “~~fine~~ FIND a violation.”

b. 10/21/2015 Hearings

(Oladotun)

7304 Princeton Avenue

Corrections:

Concerning the Tenants:

1. MR. SHRODER MOTIONED THAT THERE HAS NOT BEEN A PAST RECORD OF VIOLATION
2. MS. BELLAMY MOTIONED THAT SUCH ACTIONS HAVE BEEN TAKEN.
3. MR. SHRODER MOTIONED THAT THE TENANTS DEemeanor EXPRESSED REMORSE.
4. MR. SHRODER MOTIONED THE VIOLATION WAS EGREGIOUS.

Concerning the Landlord:

1. MR. SHRODER MOTIONED THERE HAS BEEN A PAST RECORD OF A VIOLATION.
2. MS. BELLAMY MONTIONED SUCH ACTIONS HAVE BEEN TAKEN.
3. MR. SHRODER MOTIONED THE OWNER HAS EXPRESSED REMORSE.
4. MR. SHRODER MOTIONED THAT THE OWNERS ACTION WAS NOT EGREGIOUS.

(Ahmad)

7525 Rhode Island Avenue

Corrections:

Bottom of page 17: **The Board hears a lot of ABOUT social media.**

Ms. Bellamy motioned to accept the October 15, 2015 and October 21, 2015 hearing minutes as amended. Mr. Pitt seconded the motion.

All were in favor. **The motion passed 6-0-0**

IV. Discussion

a. Noise Control Board policy for cases where less than two complainants are present at a hearing or if only one complainant is able to present information on the event addressed at a hearing.

If there aren't two complainants then the Board should motion to suspend the hearing after the chairman reads the process of the hearing.

Chairman Stillwell will formalize the hearing procedures and then the Board will adopt them. At the next meeting the Board will approve the formal procedures. The procedures will add that the Board reserves the right to suspend the rules based on the particular circumstances.

The Board discussed whether to continue hearing about the history of the property regarding to noise. They decided the landlord and tenants should be aware of how many noise issues the residents have dealt with over the past years.

b. Landlord Violation

The Board discussed what would qualify a person to not be fit to hold a landlords license, what past record of infraction. In the past if there were two (2) or more infractions the case would go to Housing and Hygiene. If the rental permit is taken away the landlords will rent illegally and there is a \$1,000.00 fine for renting without a permit.

The Board should recommend to council that the section of the Code pertaining to repeat violations by a landlord be reviewed to be applicable.

Ms. Bellamy suggested the Landlords license be denied renewal for the next year.

The City Council would have to amend the Code to reflect that change.

Mr. Ryan stated there is a new tool for the Board called the Prince Georges Nuisance Control Board which has expanded to include noise and City Code violations. The city has not used it but it cannot be frivolous. The Board would have to decide how many complaints a landlord has had with a particular house in order to go before the County. A Legal Injunction could make it that a landlord can't rent for a year.

Definition of when to go to the Prince George' Nuisance Control Board or the Advisory Planning Commission- Five (5) Noise Violations Infractions in five (5) years that may have been through the Code Officers or to the hearings.

The Board discussed what a landlord does to demonstrate they are responsible for their properties and what they are doing so that they do continue to have problems. The first criterion is that the landlords have complied with the Cities requirements for notification and education of the students.

The second criterion is that there is some sort of follow up with the students if they are becoming a problem. It is a good sign if the landlord gives their phone number to the neighbors but it is not a requirement.

3. Fines

There is a \$1,000.00 state limit for a municipal infraction

Chairman Stillwell mentioned that once a student has been fined they don't usually return for another hearing. It's the landlords that become the repeat offenders and they should not be able to pass the fine to the tenants. Chairman Stillwell stated that when he went before the City Council during the summer he told them that one of the goals of the board at the hearings IS to build harmony in the community and the City Council appreciated that. If there is more punishment then there is more hostility.

4. Social Media

The Board discussed the argument that some tenants have used about how a guest has tweeted/posted, etc. about the small party and then before the tenants know what is going on there are more individuals at the party then originally planned.

The Board sometimes believes the respondents had a social media problem.

The Board will fine the tenants but they but they are entitled to appeal the fines set by the city in district. He suggested the tenants could work with the Office of Student Conduct to identify the individual who invited more people over. They have greater impact than going to District Court. Student Conduct can put something on your student record.

5. Problem (repeat offender over time) houses

Mr. Wenzel's letter will be sent to the Council.

V. Adjournment

Ms. Bellamy motioned. Ms. Ellis seconded the motion.

All were in favor. **The motion passed 6-0-0**

The meeting adjourned at 7:56 p.m.

Meeting minutes prepared by Julie Beavers, Contract Secretary